

SHUKAT ARROW HAER WEBER & HERBSMAN, LLP

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& The Royalty Compliance Organization

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FORTRESS CREDIT OPPORTUNITIES I, LP AND
FORTRESS CREDIT OPPORTUNITIES II, LP

07-CV-7369 (HB)

Plaintiffs,

-against-

WAYNE C. COLEMAN, THE ROYALTY
COMPLIANCE ORGANIZATION and MOSS
ADAMS LLP

NOTICE OF MOTION

**ORAL ARGUMENT
REQUESTED**

Defendants.

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PLEASE TAKE NOTICE, that upon the accompanying Declarations of Dorothy M. Weber dated November 9, 2007 and Wayne C. Coleman dated November 8, 2007 the exhibits attached thereto, and the accompanying Memorandum of Law, Defendants, Wayne C. Coleman and The Royalty Compliance Organization (the "RCO Defendants") will move this Court before the Honorable Harold Baer, Jr. at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007:

- (i) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for an order dismissing Plaintiffs' Amended Complaint as against the RCO Defendants; or, in the alternative,
- (ii) to stay to stay the action; and

(iii) for such other further relief as the Court deems proper.

Defendants request oral argument in connection with this motion.

Dated: New York, New York
November 9, 2007

SHUKAT ARROW HAFFER WEBER & HERBSMAN, LLP

By: 

Dorothy M. Weber [DW-4734]

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